

MINNESOTA DISTRICT

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CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

MAKUSHA Gozo
Plaintiff

Case No:

24-cv-1389 KMM/ECW

vs

DHS; City of Willmar; Kandiyohi County; State of Minnesota; Secretary Mayorkas

34 USC 30301 Complaint

comes now the Plaintiff, Makusha Gozo, pro se ^{see} ~~see~~ Haines vs Kerner,
404 U.S. 519, 520-21 (1972). The Defendants find vicarious liability
under the doctrine of respondeat superior see for example Fahrendorff
v. Holmes, Inc. 597 N.W. 2d 905, 910 (Minn. 1999). The Defendants
expressly permitted licensure, registration and operations to enable
the enumerated criminal torts. This may be construed, inter alia,
as negligent hiring followed by negligent retention and negligent
supervision in violation of 42 USC 1985 and 42 USC 1986 et seq.
The Plaintiff was denied adequate law library access to prepare this complaint.

JURISDICTION

Jurisdiction and venue are proper because the torts occurred
in Kandiyohi County, Minnesota which is within this Honorable
Court's jurisdiction. The Plaintiff humbly request this
case to be sealed.

SCANNED

APR 17 2024

U.S. DISTRICT COURT MPLS

1. On April 14, 2024 Circa 06:40 AM the Plaintiff recieved his scheduled pharmacy products in the housing unit at the exit of the housing unit and common area "day room", outside his room.
2. The Plaintiff stopped to inform the segeant "Zach" that he must forward certain court documents to his supervisor Sheriff Eric Tollefsen and food service management. At that time Mr. "Vanden Einde" ordered him to stop his litigation, stood up and further threatened the Plaintiff in violation of 42 USC 1997d et seq. 1
3. The Plaintiff discontinued his conversation and started to walk back to his room. Mr. "Vanden Einde" then pursued the Plaintiff, and intercepted him ~~before~~ by violently grabbing his lower back in violation of 18 USC 241 and 18 USC 242 et seq. During this assault, Mr. "Vanden Einde" reached below the Plaintiff's waist to make deliberate physical contact in violation of ^{Minn. Stat. 541.073 and} 34 USC 30301 et seq and called the Plaintiff by a racial epithet in violation of 18 USC 241 and 18 USC 242. "under color of law". The Plaintiff yelled back at Mr "Vanden Einde" and this was heard by several people.
4. After the Plaintiff returned to his room he could be seen calling for medical care, ~~to~~ report this to a third party but the Defendants blocked his administrative remedy here. This is consistent with the Defendants culture of blockade of the Plaintiff's other complaints.

ARGUMENT

Point One

5. This action is brought under Minn. Stat. § 541.073 et seq for personal injury actions based on sexual abuse see for example M.L. v. Magnuson 531 N.W. 2d 849 (Minn. App 1995) as well as 34 USC 30301 et seq.
6. The liability extends to all the named Defendants see for example S. Doe v. Kirby, A 20-077 (Minn. App. Aug 24 2020). The ~~Petitioner~~ Defendants have made the reporting paths for the sake of 42 USC 1997e(a) administrative remedy of no use, the ~~respondent~~ Defendants either do not answer, or they claim they are forwarding the complaint to another party. The Plaintiff is not receiving all his incoming legal mail and for example he has sent mail to this Court which has not been received by the Clerk for over two weeks. Henceforth the Plaintiff has written directly to the Court having been denied access to the law library to prepare this complaint. His attempts to reach the DHS OIG have been futile

KC JAIL – ICE DETAINEE ONLY

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Summary


The Plaintiff was unlawfully denied his ~~Kosher diet meals and adequate nutrition for nearly one~~ ^{permission to talk to staff and} assaulted in violation of Minn. Stat. 541.073 and 34 USC 30301 et seq. ~~week, denied even condiments such as sugar.~~ As a direct result he suffered ~~malnutrition and its~~ physical harm ill effects. In addition he suffered as a proximate result pecuniary harm, psychiatric harm, including PTSD. The Plaintiff has shown beyond prima facie evidence of suffering ,

Relief Sought

The Plaintiff has suffered irreparable harm, for which there is no adequate remedy at law. This Honorable Court direct the Defendants to ~~permit the Plaintiff to receive his Kosher meals, as well as adequate nutrition.~~ ^{discontinue their violations of 18W.} In addition, the Plaintiff humbly requests this Honorable Court grant him as follows:

Attorney fees:.....	\$1,000,000.00
Pecuniary harm:.....	\$1,000,000.00
Psychiatric harm including PTSD:....	\$2,000,000.00
Physical harm.....	\$3,000,000.00
Total.....	\$6,000,000.00 (ten million dollars and zero cents)

Respectfully submitted


 Makusha Gozo
 28 USC §1746
 FRAP Rule 4 mailbox Rule

April 15, 2024
 Date

~~CERTIFICATE OF SERVICE~~

~~A copy of this motion was sent to the opposing party's counsel via first class US Registered mail.~~

~~Respectfully submitted~~

~~Makasha Gozo~~
~~28 USC §1746~~

~~FRAP Rule 4 mailbox rule~~

~~April 15, 2024~~
~~Date~~